

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BEYOND BESPOKE TAILORS, INC. and
NICK TORRES,

Plaintiffs,

-against-

ORDER SCHEDULING
BRIEFING
20-CV-5482 (VSB) (JW)

JAMES BARCHIESI ET AL,

Defendants.

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JAMES BARCHIESI,

Third-Party Plaintiff,

-against-

LINDA ROTH d/b/a ROTH CPA, ROTH
ASSOCIATES and ROTH CERTIFIED PUBLIC
ACCOUNTANTS,

Third-Party Defendants.

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JENNIFER E. WILLIS, UNITED STATES MAGISTRATE JUDGE

On November 3, 2022, the Court issued an Order granting Plaintiff's request to file a motion for sanctions. Dkt. No. 165.

On February 9, 2023, the Plaintiff filed a letter seeking leave to move to strike Defendants' Answer. Dkt No. 172. On February 14, 2023, Defendants responded requesting a briefing schedule on Plaintiff's proposed motion to strike. That same

letter requested a briefing schedule to cross-move for a protective order, and to compel discovery and sanctions. Dkt No. 173.

On February 15, 2023, the Court issued an Order granting both Plaintiff's and Defendants' requests to file their proposed motions. The Court set the following briefing schedule:

- Plaintiff's brief in support of its motion to strike was due March 1, 2023.
- Defendants' brief in support of their cross motions was due March 1, 2023.
- Defendants' opposition to the motion to strike is due **March 8, 2023**.
- Plaintiff's opposition to Defendants' cross motions is due **March 8, 2023**.

The parties remain bound by those due dates.

On March 1, 2023, Third-Party Defendants Linda Roth d/b/a Roth CPA, Roth Associates and Roth Certified Public Accountants, filed a motion for sanctions. Dkt. No. 184.

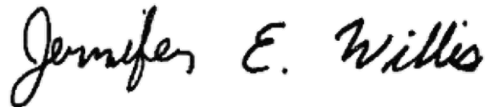
That same day, Defendants, in a letter motion, objected to Third-Party Defendants' motion for sanctions, alleging that leave to file the motion was not granted by the Court, in contravention of Individual Practice Rule II.A. Dkt. No. 186. In that letter, Defendant also requested "an extension of time" to respond to the Third-Party Defendants' motion. On March 2, 2023, Third-Party Defendants submitted a letter in response to Defendants' letter. Dkt. No. 187.

Plaintiff and the Third-Party Defendants shall both be permitted to file their submitted motions for sanctions. Dkt. No. 165.

Furthermore, Defendants remain bound to timely respond to Plaintiff's motion to strike and for sanctions. However, Defendants may have until **March 18, 2023** to specifically respond to Third-Party Defendants' motion for sanctions.

SO ORDERED.

DATED: New York, New York
March 7, 2023

A handwritten signature in black ink that reads "Jennifer E. Willis". The signature is written in a cursive, flowing style.

JENNIFER E. WILLIS
United States Magistrate Judge